

EXHIBIT A

Rev. 625

FIELD OPERATIONS HANDBOOK - 9/19/96

31b10 - 31b14

31b10 Medical treatment during "normal workday".

If an employer directs an employee, or any group of employees, to work beyond the regularly scheduled workshift, the "normal workday" of such employee, or group of employees, has been extended, and the same principle in IB 785.43 applies.

31b11 Book reviews by newspaper, radio, or television employees.

In some instances an employee of a newspaper or radio or television station will read a particular book with the view to a possible book review story for use in the newspaper or on the air. This presents no problem as to hours worked where the reading is done in the course of the employee's regular duties at the establishment or elsewhere at any time at the employer's specific request. However, the reading may be done away from the employer's establishment and outside duty hours, such as at the employee's home in the evening, and on a speculative basis - that is, with the thought that a book review might be prepared. In such cases there is a substantial question as to whether the reading was done for the benefit of the employer or for the pleasure or information of the employee. In such cases, WH will not assert that such reading is hours worked even though the book is subsequently reviewed in the newspaper or on the air.

31b12 Duty of 24 hours or more - sleeping time.

- (a) If an employee is required to be on duty 24 hours or more, the employer and employee may agree to exclude a bona fide regularly scheduled sleeping period, provided adequate sleeping facilities are furnished by the employer and the employee can usually enjoy an uninterrupted night's sleep. (See IB 785.22.)
- (b) It is the position of WH that a reasonable night's sleep means that an employee obtains at least five hours of sleep during the scheduled period. These five hours need not be five continuous uninterrupted hours of sleep. However, if interruptions are so frequent as to prevent reasonable periods of sleep totaling not less than five hours, the entire period would be considered hours worked.

31b13 Changing clothes at home.

Employees who dress to go to work in the morning are not working while dressing even though the uniforms they put on at home are required to be used in the plant during working hours. Similarly, any changing which takes place at home at the end of the day would not be an integral part of the employees' employment and is not working time.

31b14 "On-call" employees required to remain at home.

Where an "on-call" employee performs services for his employer at home and yet has long periods of uninterrupted leisure during which he can engage in the normal activities of living, Wage-Hour will accept any reasonable agreement of the parties for determining the number of hours worked. As an example, this policy will apply to an "on-call" employee who is required by the employer to remain at home to receive telephone calls from customers when the company office is closed. The agreement should take into account not only the actual time spent in answering the calls but also some allowance for the restriction on the employee's freedom to engage in personal activities resulting from the duty of answering the telephone.